

## Message Text

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10  
ACTION EA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-02

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 IO-10

OMB-01 /066 W  
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R 310949Z MAR 75  
FM AMEMBASSY MANILA  
TO SECSTATE WASHDC 1750

C O N F I D E N T I A L MANILA 3934

E.O. 11652: GDS  
TAGS: PINS, RP  
SUBJECT: PERPETUATION HEARINGS

1. FIRST DAY OF PERPETUATION HEARINGS HELD BEFORE MILITARY COMMISSION AT FORT BONIFACIO MONDAY MAR 31. HEARINGS WERE OPEN TO PUBLIC.

2. AQUINO'S ATTORNEYS, TANADA AND DIOKNO, ATTENDED BUT AS "SPECTATORS" SINCE TANADA SAID THEY DID NOT RECOGNIZE JURISDICTION OF COMMISSION.

3. AQUINO DELIVERED STATEMENT QUESTIONING AUTHORITY OF COMMISSION ON GROUNDS OF JURISDICTION, THAT IS THAT PRESIDENTIAL DECREE 328 AUTHORIZING SUCH PROCEEDINGS HAS NEVER BEEN GAZETTED AS REQUIRED BY LAW; HE ALSO OPPOSED COMMISSION ON GROUNDS OF "ESTOPPEL," THAT IS, IT HAS NO RIGHT TO HEAR WITNESSES SINCE (A) HE IS A CIVILIAN, (B) HAS CONTESTED BEFORE SUPREME COURT THE COMMISSION RIGHT TO TRY HIM; (C) PRESIDENT, WHO IS ACCUSER, IS ALSO PROSECUTOR AND FINAL JUDGE. IN ELABORATING ON FINAL POINT, AQUINO LAMBASTED MARCOS FOR CORRUPTION, MISMANAGEMENT, SUBVERSION AND DICTATORSHIP, AND SO ON IN GROSS TERMS SAYING MARCOS, NOT AQUINO, IS THE GUILTY ONE. SPEECH BEING POUCHED.

4. COMMENT: WE ARE AMAZED GENERAL SYJUCO, CHAIRMAN OF  
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COMMISSION, ALLOWED AQUINO TO MAKE STATEMENT WHICH WAS

EXPRESSED IN EXTREME AND OFFENSIVE TERMS BEFORE PUBLIC.  
HAVING LET AQUINO SPEAK AT FIRST HEARING OF COMMISSION,  
SYJUCO MAY HAVE FELT OBLIGED TO LET HIM SPEAK AGAIN.

5. ALTHOUGH TECHNICALLY NOT PARTICIPATING, FACT ATTORNEYS  
ATTENDED AND AQUINO SPOKE COULD BE INTERPRETED BY GOVERN-  
MENT AS A FORM OF PARTICIPATION IN GOVERNMENT TRIAL.

6. WE WILL SEE IF WE CAN OBTAIN RATIONALE FROM AQUINO  
ATTORNEYS FOR HARSHNESS OF AQUINO REMARKS VIEW RECENT  
RUMORS ABOUT INTEREST IN EXILE.  
SULLIVAN

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NNN

## Message Attributes

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